

JOURNAL OF THE HOUSE.

Thursday, March 10, 2005.

Met according to adjournment, at eleven o'clock A.M., in an Informal Session, with Mr. Donato of Medford in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

Prayer was offered by the Reverend Robert F. Quinn, C.S.P., Chaplain of the House, as follows:

Prayer.

Gracious God, at the beginning of each day, we renew prayerfully our intention and commitment to serve You and constituents in a thoughtful and conscientious manner. We also pray for guidance as we try to address fairly the many complex and sometimes emotional issues which come before us. Selecting the correct personal and legislative options and choices is often not easy. Your guidance enables us to do the right and ethical thing. The spirit, Your encouragement and spiritual gifts make known to us the best ways of serving people, our neighbors and communities. May our personal and legislative decisions be in accord with Your ways, teaching and precepts.

Grant Your blessings to the Speaker, the members and employees of this House and their families. Amen.

Pledge of allegiance.

At the request of the Chair (Mr. Donato), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

Guests of the House.

President Aristides Lima.

During the session, the Chair (Mr. Donato of Medford) declared a brief recess and introduced Aristides Lima, President of the National Assembly of Cape Verde. President Lima, along with his entourage and the Counsel General, were the guests of Representatives deMacedo of Plymouth and Cabral of New Bedford.

Resolutions.

The following resolutions (filed with the Clerk) were referred, under Rule 85, to the committee on Rules:

Francis J. Derwin.

Resolutions (filed by Mr. Ayers of Quincy) recognizing Francis J. Derwin of the Civilian Conservation Corps;

Gallups Island School.

Resolutions (filed by Mr. Ayers of Quincy) recognizing the Gallups Island Radio Station School; and

Robert Hanna.

Resolutions (filed by Messrs. Tobin of Quincy, Ayers of Quincy and Mariano of Quincy) congratulating Robert Hanna on the occasion of his retirement;

Mrs. Harkins of Needham, for the committee on Rules, reported, in each instance, that the resolutions ought to be adopted. Under suspension of the rules, in each instance, on motion of Ms. Walz of Boston, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Petitions.

Mr. Kulik of Worthington presented a petition (subject to Joint Rule 12) of Stephen Kulik and Andrea F. Nuciforo, Jr., relative to the financial conditions in the Chesterfield Goshen Regional School District; and the same was referred, under Rule 24, to the committee on Rules.

Chesterfield School District.

Mr. Scaccia of Boston, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, then reported recommending that Joint Rule 12 be suspended. Under suspension of the rules, on motion of Mr. Lepper of Attleboro, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Education. Sent to the Senate for concurrence.

Mr. Lepper of Attleboro presented a petition (subject to Joint Rule 12) of John A. Lepper and others relative to the minimum age for appointment as a police officer; and the same was referred, under Rule 24, to the committee on Rules.

Police, minimum age.

Mr. Scaccia of Boston, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, then reported recommending that Joint Rule 12 be suspended. Under suspension of the rules, on motion of Mr. Lepper, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Public Service. Sent to the Senate for concurrence.

Papers from the Senate.

A Bill establishing a sick leave bank for James E. Vesey, an employee of the Trial Court (Senate, No. 29, amended by striking out the words "Boston Municipal Court" wherever they appear and inserting in place thereof, in each instance, the words "trial court"; and by inserting before the enacting clause the following emergency preamble:

James Vesey, sick leave bank.

"Whereas, The deferred operation of this act would tend to defeat its purpose, which is forthwith to establish a sick leave bank for a certain employee of the trial court, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience." (on a petition), passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Donato of Medford, for said committee, reported that the matter be scheduled for consideration by the House.

Under suspension of the rules, on motion of Mr. Flynn of Bridgewater, the bill was read a second time forthwith; and it was ordered to a third reading.

A report of the Massachusetts Capital Resource Company (under the provisions of section 20 of Chapter 816 of the Acts of 1977) submitting its twenty-eight annual report (Senate, No. 28) was referred, in concurrence, to the committee on Revenue.

Capital Resource Company.

*Reports of Committees.*Arlington,
town
ballot.

By Mr. Petrucci of Boston, for the committee on Election Laws, on a petition, a Bill to authorize the board selectmen of the town of Arlington to place upon a town ballot two questions relating to the licensing of purveyors of beer and wine and/or package stores (House, No. 31) [Local Approval Received]. Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Donato of Medford, for said committee, reported that the matter be scheduled for consideration by the House.

Under suspension of the rules, on motion of Mr. Marzilli of Arlington, the bill was read a second time forthwith; and it was ordered to a third reading.

Arlington,
alcohol
licenses.

By Mr. Petrucci of Boston, for the committee on Election Laws, on a petition, a Bill to expand the number of licenses which the board of selectmen can issue for all alcoholic licenses for restaurants in the town of Arlington (House, No. 32) [Local Approval Received]. Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Donato of Medford, for said committee, reported that the matter be scheduled for consideration by the House.

Under suspension of the rules, on motion of Mr. Bosley of North Adams, the bill was read a second time forthwith; and it was ordered to a third reading.

Arlington,
fund
transfer.

By Ms. Kaprielian of Watertown, for the committee on Municipalities and Regional Government, on a petition, a Bill to permit the town of Arlington to transfer certain funds (House, No. 34) [Local Approval Received]. Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Donato of Medford, for said committee, reported that the matter be scheduled for consideration by the House.

Under suspension of the rules, on motion of Mr. Flynn of Bridgewater, the bill was read a second time forthwith; and it was ordered to a third reading.

Arlington,
Timothy
Pacheco.

By Mr. Donato of Medford, for the committee on Steering, Policy and Scheduling, that the House Bill exempting Timothy Pacheco of Arlington from the maximum age requirements for applying for civil service appointment as firefighter in the town of Arlington (House, No. 33) be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Mr. Cabral of New Bedford, the bill was read a second time forthwith; and it was ordered to a third reading.

*Emergency Measure.*Abstinence
education
project
funds.

The engrossed Bill relative to abstinence education project funds (see House, No. 44, amended), having been certified by the Clerk to be rightly and truly prepared for final passage, was considered, the question being on adopting the emergency preamble.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 7 to 0. Sent to the Senate for concurrence.

Subsequently, the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the House) (which had been returned by His Excellency the Governor with recommendation of amendment) was passed to be re-enacted, in its amended form; and it was signed by the acting Speaker and sent to the Senate. Bill re-enacted.

Engrossed Bill.

The engrossed Bill relative to the use of tamper free ankle bracelets for the tracking of certain offenders (see House, No. 43, amended) (which originated in the House) (which had been returned by His Excellency the Governor with recommendation of amendment), in respect to which the Senate had concurred in adoption of the emergency preamble, was passed to be re-enacted, in its amended form; and it was signed by the acting Speaker and sent to the Senate. Bill re-enacted.

Order.

On motion of Mr. DiMasi of Boston,—

Ordered, That when the House adjourns today, it adjourn to meet on Monday next at eleven o'clock A.M. Next sitting.

Adjournment in Memory of Clement E. Walsh.

Mr. DiMasi then moved that when the House adjourns, it do so in respect to the memory of Clement E. Walsh, a valued employee in the House Clerk's Office from 1950 to 1983, inclusive; and the motion prevailed.

Accordingly, at twenty-eight minutes after eleven o'clock A.M., on motion of Mrs. Pope of Wayland (Mr. Donato of Medford being in the Chair), the House adjourned, to meet on Monday next at eleven o'clock A.M., in an Informal Session.